8th August 1960]

Serial number.	Name of taluk.	Name of village.	Name of Work.
(1)	(2)	(3)	(4)
10	Wandiwash ..	Sedarakuppam	Kamal eri.
11	Do. ..	Thalampattu	Melayampattu thangal.
12	Do. ..	Thalampallam	Eri.
13	Do. ..	Manganallur	Kalpattuthangal.
14	Do. ..	Kodanallur	Eri.
15	Do. ..	Kilvillivalam	Chettithangal.
16	Do. ..	Kilvillivalam	Rajathangal.
17	Do. ..	Malavankaranai ..	Papanthangal.
18	Do. ..	Malavankaranai ..	Vannanthangal.
19	Do. ..	Athipakkam	Muruthuvampadi eri.
20	Do. ..	Kodailam	Peria eri.
21	Do. ..	Nadukuppam	Peria eri.
22	Do. ..	Eripattu	Thennayamkuppam thangal.
23	Do. ..	Kalyanapuram	Eri.
24	Do. ..	Kandavaratti	Peria eri.
25	Do. ..	Kandavaratti	Chitteri.
26	Do. ..	Kandavaratti	Manianthangal.
27	Do. ..	Kandavaratti	Rayanandal.
28	Do. ..	Kilpakkam	Chitteri.
29	Do. ..	Salavedu	Peria eri.
30	Do ..	Salavedu	Chitteri.
31	Do. ..	Velliambakkam ..	Athu eri.
32	Do. ..	Ammanibakkam ..	Eri.
33	Do, ..	Adainoor	Eri.
34	Do. ..	Adaiyankuppam ..	Tank.
35	Do. ..	Kavaniathur	Eri.
36	Do. ..	Kalpattu	Nainakuppam tank.
37	Do. ..	Punnai	Peria eri.
38	Do. ..	Punnai	Sadayanthangal.
39	Do. ..	Kottaikallan	Karamaithangal.
40	Do. ..	Sitharugavoor	Jamgampoondi tank.
41	Do. ..	Achamangalam	Peria eri.
42	Do. ..	Villanallur	Chitteri.
43	Do. ..	Chandrambadi	Chitteri.
44	Do. ..	Vinayakapuram	Ammankoil thangal.
45	Do. ..	Vinayakapuram	Cheyyathukal river channel.
46	Do. ..	Mambattu	Peria eri.
47	Do. ..	Kunnagampoondi ..	Thangal.

APPENDIX V

[Vide item VII on page 37 supra.]

REPORT OF THE JOINT SELECT COMMITTEE ON THE INDIAN PENAL CODE AND THE CODE OF CRIMINAL PROCEDURE (MADRAS AMENDMENT) BILL, 1960 (L.A. BILL No. 7 OF 1960).

To

THE HON. THE LEGISLATIVE ASSEMBLY,
MADRAS.

The Joint Select Committee appointed to consider the Indian Penal Code and the Code of Criminal Procedure (Madras Amendment) Bill, 1960 (L.A. Bill No. 7 of 1960) has the honour to make the following report.

[8th August 1960

2. The Bill was published in English in the *Fort St. George Gazette* Extraordinary, dated 6th April 1960, and in Tamil in the *Fort St. George Gazette*, dated 20th April 1960.

3. The Joint Select Committee was constituted a by resolution of the Legislative Assembly, dated 27th April 1960 and of the Legislative Council, dated 28th April 1960.

4. The Committee met in the Members' Lounge Room, Fort St. George, Madras, on the 29ht April 1960 and in the " Tamizhagam ", Ootacamund, on the 17th and 18th May 1960.

5. The Committee has subjected the provisions of the Bill to a careful scrutiny and as a result thereof has made the following changes :—

Clause 2.—Section 292 of the Indian Penal Code (Central Act XLV of 1860) provides for an imprisonment for a period which may extend to three months for certain offences. But the Bill sought to increase the imprisonment from three months to two years. But the Committee was of the view that as various offences contemplated were likely to be committed by the same set of persons any number of times the second and subsequent offences committed by them call for a minimum term of imprisonment of ' not less than six months ', while the term of imprisonment for the first offence might remain the same as proposed in the clause.

The clause has been amended by adding a proviso that second or subsequent offences shall be punished with imprisonment which shall not be less than six months.

Clause 3.—This clause provides for an insertion of a new section 292 (*a*) in Central Act XLV of 1860 in regard to printing, etc., of grossly indecent or scurrilous matter or matter intended for blackmail. The Committee is of the view that *bona fide* criticism of any person in respect of any of his public activities should be excluded from the purview of the Bill. The Committee also decided to delete sub-clause (*b*). It was also decided that, consequent on the amendment proposed to clause 2 of the Bill, the term of imprisonment in respect of second and subsequent offences referred to in clause 3 may be fixed as not less than six months and not more than two years or with fine. The clause has been amended accordingly.

6. A copy of the Bill embodying the amendments made by the Committee is annexed.

The Committee considers that the changes made in the Bill are not of such important character as to necessitate the republication of the Bill.

MADRAS-9,
2nd June 1960.

C. SUBRAMANIAM,
Chairman.

8th August 1960]

ANNEXURE.

[Vide paragraph 6 of the Report.]

[NOTE.—**The changes made are sidelined or underlined and the portions omitted are indicated by dots.**]

(L. A. BILL No. 7 OF 1960.)

A Bill further to amend the Indian Penal Code and the Code of Criminal Procedure, 1898, *in their application to the State of Madras.*

WHEREAS it is expedient further to amend the Indian Penal Code (Central Act XLV of 1860), and the Code of Criminal Procedure, 1898 (Central Act V of 1898), in their application to the State of Madras, for the purposes hereinafter appearing;

BE it enacted in the Eleventh Year of the Republic of India as follows:—

1. *Short title and extent.*—(1) This Act may be called the Indian Penal Code and the Code of Criminal Procedure (Madras Amendment) Act, 1960.

(2) It extends to the whole of the State of Madras.

2. *Amendment of section* 292—*Central Act XLV of* 1860.—In section 292 of the Indian Penal Code (Central Act XLV of 1860), (hereinafter referred to as the said Code), for the words 'shall be punished with imprisonment of either description for a term which may extend to three months or with fine or with both', the following shall be substituted, namely:—

"shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both:

Provided that for a second or any subsequent offence under this section, he shall be punished with imprisonment of either description for a term which shall not be less than six months and not more than two years and with fine."

3. *Insertion of new section 292-A in Central Act XLV of* **1860.**—After section 292 of the said Code, the following section shall be inserted, namely:—

"292-A. *Printing, etc., of grossly indecent or scurrilous matter or matter intended for blackmail.*—Whoever—

(*a*) prints or causes to be printed in any newspaper, periodical or circular, or exhibits or causes to be exhibited, to public view or distributes or causes to be distributed or in any manner puts into circulation any picture or any printed or written document which is grossly indecent, or is scurrilous or intended for blackmail, or

. . . .

(*b*) sells or lets for hire, or for purposes of sale or hire makes, produces or has in his possession, any picture or any printed or written document which is grossly indecent or is scurrilous or intended for blackmail, or

(c) conveys any picture or any printed or written document which is grossly indecent or is scurrilous or intended for blackmail knowing or having reason to believe that such picture or document will be printed, sold, let for hire, distributed or publicly exhibited or in any manner put into circulation, or

[8th August 1960

(*d*) takes part in, or receives profits from, any business in the course of which he knows or has reason to believe that any such newspaper, periodical, circular, picture or other printed or written document is printed, exhibited, distributed, circulated, sold, let for hire, made, produced, kept, conveyed or purchased, or

(*e*) advertises or makes known by any means whatsoever that any person is engaged or is ready to engage in any act which is an offence under this section, or that any such newspaper, periodical, circular, picture or other printed or written document which is grossly indecent or is scurrilous or intended for blackmail can be procured from or through any person, or

(*f*) offers or attempts to do any act which is an offence under this section,

shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both:

Provided that for a second or any subsequent offence under this section, he shall be punished with imprisonment of either description for a term which shall not be less than six months and not more than two years and with fine.

Explanation I.—For the purposes of this section, the word "scurrilous" shall be deemed to include any matter which is likely to be injurious to morality or is calculated to injure any person:

Provided that it is not scurrilous to express in good faith anything whatever respecting the conduct of—

(i) a public servant in the discharge of his public functions or respecting his character so far as his character appears in that conduct and no further; or

(ii) any person touching any public question, and respecting his character, so far as his character appears in that conduct and no further.

Explanation II.—In deciding whether any person has committed an offence under this section, the Court shall have regard, *inter alia*, to the following considerations:—

(*a*) the general character of the person charged, and where relevant, the nature of his business;

(*b*) the general character and dominant effect of the matter alleged to be grossly indecent or scurrilous or intended for blackmail;

(*c*) any evidence offered or called by or on behalf of the accused person as to his intention in committing any of the acts specified in this section."

4. *Amendment of section* 293, *Central Act XLV of* 1860.—In section 293 of the said Code—

(i) for the words "any such obscene object as is referred to in the last preceding section", the words, figures and letter "any such obscene object as is referred to in section 292 or any such newspaper, periodical, circular, picture or other printed or written document as is referred to in section 292-A" shall be substituted:

(ii) for the words "which may extend to six months", the words "which may extend to three years" shall be substituted;

(iii) in the marginal note, after the words "obscene objects", the words "and grossly indecent or scurrilous matter or matter intended for blackmail" shall be inserted.

8th August 1960]

5. *Amendment of Central Act V of* 1898.—In the Code of Criminal Procedure, 1898 (Central Act V of 1898).—

(i) in sub-section (1) of section 521, after the word and figures "section 292", the word, figures and letter "section 292-A" shall be inserted;

(ii) in Schedule II, for the entries relating to sections 292 and 293, the following entries shall be substituted, namely:—

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
"292	Sale, etc., of obscene books, etc.	Ditto.	Warrant.	Ditto.	Ditto.	Imprisonment of either description for two years, or fine, or both.	Presidency Magistrate or Magistrate of the first class.
292-A	Printing, sale, etc., of grossly indecent or scurrilous matter or matter intended for blackmail.	Ditto.	Ditto.	Ditto.	Ditto.	Ditto.	Ditto.
293	Sale, etc., of obscene objects . . . grossly indecent, or scurrilous matter or matter intended for blackmail to young persons.	Ditto	Ditto.	Ditto.	Ditto.	Imprisonment of either description for three years, or fine, or both.	Ditto.

T. HANUMANTHAPPA,
Secretary, Legislative Assembly Department.

FORT ST. GEORGE, MADRAS-9,
22nd June 1960.

APPENDIX VI.

[Vide item VII on page 37 supra.]

REPORT OF THE JOINT SELECT COMMITTEE ON THE MADRAS JUDICIAL PROCEEDINGS (REGULATION OF REPORTS) BILL, 1960 (L.A. BILL No. 12 OF 1960).

To

THE HONOURABLE THE LEGISLATIVE ASSEMBLY,
MADRAS.

The Joint Select Committee appointed to consider the Madras Judicial Proceedings (Regulation of Reports) Bill, 1960 (L.A. Bill No. 12 of 1960) has the honour to make the following report.

2. The Bill was published in English in the *Fort St. George Gazette* Extraordinary, dated 16th April 1960, and in Tamil in the *Fort St. George Gazette*, dated 1st June 1960.